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*Attorneys for the United States*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY THOMPSON

Defendant.

2:17-mj-00947-PAL

Stipulation to Continue the  
Preliminary Hearing  
(Eighth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney, and ALEXANDRA MICHAEL AND NADIA AHMED, Assistant United States Attorneys, counsel for the United States of America, and Monti Levy, Esq., counsel for Defendant BOBBY THOMPSON, that the preliminary hearing date in the above-captioned matter, currently scheduled for August 17, 2018, at 4:00 p.m., be vacated and continued for no less than thirty (30) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1           1.     Defendant Thompson has entered into a formal plea agreement with the  
2 United States. The plea agreement has been signed and has been submitted to the  
3 Court.

4           2.     A change of plea hearing commenced on August 10, 2018 but was re-  
5 scheduled for August 28, 2018. *See United States v. Thompson*, 2:18-cr-  
6 00213-APG-GWF ECF No. 51.

7           3.     All parties agree to the continuance.

8           4.     The defendant is currently detained pending trial but do not object to a  
9 continuance.

10          5.     Denial of this request for continuance could result in a miscarriage of  
11 justice.

12          6.     The additional time requested herein is not sought for purposes of delay,  
13 but to allow Defendant Thompson to enter his change of plea consistent with his signed  
14 plea agreement.

15          7.     The additional time requested by this stipulation, is allowed, with the  
16 defendants' consent under the Federal Rules of Procedure 5.1(d).

17          8.     The Court previously indicated that no further extensions would be  
18 allowed. ECF No. 47. However, the parties hereby request that the Court an additional  
19 extension for procedural purposes so that the change of plea hearing may take place  
20 thereby resolving the case pre-indictment and obviating the need for a preliminary  
21 hearing.

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4 9. This is the eighth request for a continuation of the preliminary hearing.

5 DATED this 16th day of August, 2018.

6 Respectfully submitted,

7 **For the Defendants:**

**For the United States:**

8  
9 //s//  
10 MONTI LEVY, ESQ.  
Counsel for Defendant - Thompson

DAYLE ELIESON  
United States Attorney  
11 //s//  
ALEXANDRA MICHAEL  
NADIA AHMED  
Assistant United States Attorneys

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

2:17-mj-00947-PAL

Plaintiff,

vs.

**ORDER**

BOBBY THOMPSON

Defendant.

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defendant Thompson has entered into a formal plea agreement with the United States. The plea agreement has been signed and has been submitted to the Court.
2. A change of plea hearing commenced on August 10, 2018 but was re-scheduled for August 28, 2018. *See United States v. Thompson*, 2:18-cr-00213-APG-GWF ECF No. 51.
3. All parties agree to the continuance.
4. The defendant is currently detained pending trial but do not object to a continuance.
5. Denial of this request for continuance could result in a miscarriage of justice.
6. The additional time requested herein is not sought for purposes of delay, but to allow Defendant Thompson to enter his change of plea consistent with his signed plea agreement.
7. The additional time requested by this stipulation, is allowed, with the

1 defendants' consent under the Federal Rules of Procedure 5.1(d).

2 8. The Court previously indicated that no further extensions would be allowed.  
3 ECF No. 47. However, the parties hereby request that the Court an additional  
4 extension for procedural purposes so that the change of plea hearing may take place  
5 thereby resolving the case pre-indictment and obviating the need for a preliminary  
6 hearing.

7 9. This is the eighth request for a continuation of the preliminary hearing.

8 For all of the above-stated reasons, the ends of justice would best be served by a  
9 continuance of the preliminary hearing date.

10 **CONCLUSIONS OF LAW**

11 The ends of justice served by granting said continuance outweigh the best interest  
12 of the public and the defendants, since the failure to grant said continuance would be  
13 likely to result in a miscarriage of justice, would deny Defendant Thompson an  
14 opportunity to plea guilty to the pre-indictment plea offer, and if the case is not resolved  
15 pre-indictment, it further would deny the parties sufficient time and the opportunity  
16 within which to be able to effectively and thoroughly prepare for the preliminary  
17 hearing, taking into account the exercise of due diligence.

18 The continuance sought herein is allowed, with the defendants' consent, pursuant  
19 to Federal Rules of Procedure 5.1(d).

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**ORDER**

IT IS THEREFORE ORDERED that the preliminary hearing currently  
scheduled for August 17, 2018, at the hour of 4:00 p.m., be vacated and continued to  
September 17, 2018, at the hour of 4:00 pm.

DATED this 21st day of August, 2018.

  
THE HONORABLE PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE